

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TROY ARDEN JULIAR, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SUNOPTA INC., STEVEN BROMLEY, JOHN  
H. DIETRICH, and STEPHEN R. BRONFMAN

Defendants.

Electronically Filed

Case No. 1:08-cv-00933-PAC

(ECF Case)

STEPHEN STRUGALA, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SUNOPTA INC., STEVEN BROMLEY, JOHN  
H. DIETRICH, and STEPHEN BRONFMAN

Defendants.

Case No. 1:08-01070-PAC

(ECF Case)

RAY FOSTER, Individually and on Behalf of All  
Those Similarly Situated,

Plaintiff,

vs.

STEVEN BROMLEY, JOHN H. DIETRICH, and  
SUNOPTA INC.,

Defendants.

Case No. 1:08-cv-01313-PAC

(ECF Case)

[Captions continued on next page]

**NOTICE OF WITHDRAWAL OF MOTION OF THE  
RECK GROUP TO CONSOLIDATE ACTIONS, TO BE  
APPOINTED LEAD PLAINTIFF AND FOR APPROVAL OF LEAD  
PLAINTIFF'S SELECTION OF LEAD COUNSEL AND LIAISON COUNSEL**

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ROGER DAVIDSON, On Behalf of Himself and  
All Others Similarly Situated,

Plaintiff,

vs.

SUNOPTA INC., STEVEN R. BROMLEY, and  
JOHN H. DIETRICH,

Defendants.

Case No. 1:08-cv-01496-PAC

(ECF Case)

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MARIE LORENZATO, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

vs.

SUNOPTA INC., STEVEN BROMLEY, and  
JOHN H. DIETRICH,

Defendants.

Case No. 1:07-cv-01844-PAC

(ECF Case)

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ROBERT KNOX, Individually and on Behalf of  
All Others Similarly Situated,

Plaintiff,

vs.

SUNOPTA INC., STEVEN R. BROMLEY, JOHN  
H. DIETRICH, and STEPHEN R. BRONFMAN,

Defendants.

Case No. 1:08-cv-02034-PAC

(ECF Case)

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ALBERT HALEGOUA, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SUNOPTA INC., STEVEN R. BROMLEY, JOHN  
H. DIETRICH, and STEPHEN R. BRONFMAN,

Defendants.

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Case No. 1:08-cv-02910-PAC

(ECF Case)

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

After reviewing the competing lead plaintiff motions, Thomas A. Reck, Kathryn G. Reck, Frank B. Shimkus, Stephen C. and Diana L. McAnelly, and Dr. Alfred P. Mattera (collectively, the "Reck Group") recognize that Western Washington Laborers-Employers Pension Trust and Operating Engineers Construction Industry and Miscellaneous Pension Fund (collectively, the "Pension Funds") have the largest financial interest in the relief sought in this action.

Accordingly, the Reck Group hereby withdraws its Motion To Consolidate Actions, To Be Appointed Lead Plaintiff And For Approval Of Lead Plaintiff's Selection Of Lead Counsel And Liaison Counsel, originally filed with this Court on March 28, 2008, in support of the Pension Funds.

Nevertheless, should the need arise, the Reck Group respectfully requests the Court to consider its motion as it remains willing to serve in a leadership or representative capacity on behalf of the class. This withdrawal is made without prejudice to the rights of the Reck Group to participate in this action as a member of the proposed class and to share in any settlement or recovery.

Dated: April 9, 2008

Respectfully submitted,

**BRODSKY & SMITH, LLC**

By: /s/ Evan J. Smith, Esquire (ES3254)

Evan J. Smith (ES3254)

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**Proposed Liaison Counsel**

**SCHIFFRIN BARROWAY**

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**Proposed Lead Counsel**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Plaintiff,

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SUNOPTA INC., STEVEN BROMLEY, JOHN H.  
DIETRICH, and STEPHEN R. BRONFMAN

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STEPHEN STRUGALA, Individually and on  
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Defendants.

Case No. 1:08-01070-PAC

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Case No. 1:08-cv-01313-PAC

(ECF Case)

[Captions continued on next page]

**CERTIFICATE OF SERVICE**

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ROGER DAVIDSON, On Behalf of Himself and  
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JOHN H. DIETRICH,

Defendants.

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Case No. 1:08-cv-01496-PAC

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Defendants.

Case No. 1:08-cv-02910-PAC

(ECF Case)



**CERTIFICATE OF SERVICE**

I, Evan J. Smith, hereby certify that on April 9, 2007, the following documents were electronically filed with the Clerk of Court using the CM/ECF system and served on all on all counsel of record on the attached service list via transmission of Notices of Electronic Filing generated by CM/ECF or by U.S. First Class Mail, postage prepaid.

1. Notice of Withdrawal Of Motion Of The Reck Group To Consolidate Actions, To Be Appointed Lead Plaintiff And For Approval Of Lead Plaintiff's Selection Of Lead Counsel And Liaison Counsel;

/s Evan J. Smith, Esquire (ES3254)  
Evan J. Smith (ES3254)

## Mailing Information for a Case 1:08-cv-00933-PAC

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **William J. Hine**  
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- **Jayant W. Tambe**  
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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

**Lewis Stephen Kahn**  
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**Kim E. Miller**  
Kahn Gauthier Swick, LLC  
12 East 41st Street  
12th Floor  
New York, NY 10017

**Eric J. O'Bell**  
Law Offices of Eric J. O'Bell, LLC  
3500 Noth Hullen Street  
Metairie, LA 70002

## Mailing Information for a Case 1:08-cv-01070-PAC

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Evan J Smith**  
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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

## Mailing Information for a Case 1:08-cv-01313-PAC

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Gregory Bradley Linkh**  
glinkh@murrayfrank.com
- **Jacqueline Sailer**  
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## Mailing Information for a Case 1:08-cv-01496-PAC

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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## Mailing Information for a Case 1:08-cv-01844-PAC

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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- **Samuel Howard Rudman**  
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- (No manual recipients)

## Mailing Information for a Case 1:08-cv-02034-PAC

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Hal D. Cunningham**  
hcunningham@scott-scott.com
- **David R. Scott**  
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- **Arthur L. Shingler , III**  
ashingler@scott-scott.com

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